

REMARKS

Status of the Claims

Before this Response, claims 24, 25, and 27 were present for examination. Claims 24, 25, and 27 is amended herein. No claims are canceled, and no claims are added. Therefore, claims 24, 25 and 27 are now present for examination.

Claims 24, 25, and 27 stand/s rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 6,580,870 (“Kanazawa”) in view of U.S. Patent No. 7,313,809 (“Mohan”).

Applicant respectfully requests reconsideration of the application in light of the remarks below.

Claims 24, 25, and 27 – Rejected under §103

Claims 24, 25 and 27 stand rejected as being obvious over Kanazawa in view of Mohan.

In an interview with the Examiner on November 16, 2010, it was agreed that the amended claims would overcome the prior art of record. As such, Applicants respectfully request that this rejection be withdrawn.

Additionally, Applicants submit the following shortcomings with Kanazawa and Mohan. Mohan is referenced in the Office Action in that “Mohan cited in response to amendment to the claims, teach a method wherein a recording medium, such as a DVD containing AV information, contains corresponding URL information to determine when an event happens, and prompting download and playback of streaming content from a server as specified by the URL.” (see page 14, paragraph b). In addition, according to page 5, lines 10-11 of the Office Action, it seems that the Examiner believes that Kanazawa merely describes downloading and presenting of contents, but Mohan describes download and playback of contents. Nonetheless, even if this is correct, Applicants submit that both references still do not

describe “data which includes information which represents either one of a first state to direct the related content to be downloaded and a second state to direct the related content to be downloaded and played back.” There are no discussion regarding data which has first and second state in the references.

According to the claim 24, the recording medium of our claimed invention recites “data which includes information which represents either one of a first state to direct the related content to be downloaded and a second state to direct the related content to be downloaded and played back.” Then, “whether the system control module downloads the related content or the control module downloads and plays back the related content is determined by reproducing the data which includes information represents the first or second state”. Thereafter, the system control module is further configured to operate according to the determination. As such, the claimed invention is able to operate the downloading and playing back of content finely, depending on the judgment of the first or the second state of the data.

Thus, for at least these additional reasons, Applicants submit that claims 24, 25, and 27 are patentable over Kanazawa and Mohan individually or when combined. As such, Applicants respectfully request that this rejection be withdrawn.

CONCLUSION

For at least all of the foregoing reasons, Applicant believes all claims now pending in this Application are in condition for allowance. Therefore, the issuance of a formal Notice of Allowance at an early date is respectfully requested.

No fees are believed to be due with this paper, however, should it be deemed otherwise, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment in connection with this paper to Deposit Account No. 20-1430.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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